

**A**Administrative  
**S**ervices  
**L**etter

**03-04**  
**Paperwork Management**



Paperwork Management  
ASLs

Signed By	Marie LaVergne, Chief Administrative Services Division	Number	03-04
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Subject	Information Practices Act	Expires	When Canceled
Guide Section	Paperwork Management	Reference	Cancels ASL 93-19

This ASL defines the policy and procedures required by the Information Practices Act (IPA). The IPA states that all individuals have a right of privacy to information pertaining to them as a personal and fundamental right protected by both the California and the United States Constitutions. The Information Practices Act of 1977 (Civil Code Section 1798, et seq.), provides measures to assure fair treatment of individuals who are the subjects of State agency records. With few exceptions, individuals may review, obtain copies, request amendments and corrections, and dispute information pertaining to them in California State Records.

Under the Information Practices Act requirements, the Air Resources Board has established the following procedures:

- Collection of personal information, to the greatest extent possible, will be directly from the individual; maintained with confidentiality, accuracy, timeliness and completeness; and, collected and maintained only to the extent necessary to accomplish a purpose that is required or authorized. The information source will be maintained with the information.
- All ARB forms used to collect personal information from individuals (other than ARB employees) will either provide the IPA privacy notice on the form or have a separate notice fulfilling the requirements of Section 1798.17 of the IPA. Forms must be reviewed by the ARB Forms Coordinator, Management Services Branch, Administrative Services Division, for compliance with the IPA prior to use.
- The "ARB Information Practices Act Annual Privacy Notice to Employees" ([Attachment 1](#)) will be updated and distributed annually to ARB staff. This notice will fulfill the IPA requirements pertaining to ARB forms used to collect personal information from staff.
- In the event of any breach of the ARB data system, and the personal information of employees was, or is reasonably believed to have been acquired by an unauthorized person, ARB shall notify the owner or licensee of the personal information immediately following discovery.
- Persons involved in the design, development, operation, disclosure or

maintenance of ARB's records containing personal information will follow the "Information Practices Act Rules of Conduct for ARB Employees" ([Attachment 2](#)).

- The Management Services Branch, Administrative Services Division, has designated an agency employee responsible for ensuring that ARB complies with Information Practices Act provisions.
- Employees may not disclose information in a manner that would link the information to the individual to whom it pertains unless the disclosure is a permissible disclosure under California Civil Code, section 1798.24. Some permissible disclosures are outlined in "Air Resources Board, Information Practices Act Rules and regulations for Access and Disclosure" ([attachment 3](#)). Please contact the Information Practices Act Coordinator, Management Services Branch as listed on the [Directory of Administrative Services](#), for a comprehensive list of permissible disclosures, or if you are unsure of the procedures.
- The guidelines for individuals to follow when they wish to inspect, obtain copies, request amendments, object to a record amendment denial, and/or file statements disputing information about themselves are outlined in the Air Resources Board Information Practices Act Rules and Regulations for Access and Disclosure ([Attachment 3](#)). ARB employees may also seek assistance from the Information Practices Act Coordinator, Management Services Branch, Administrative Services Division, as listed on the [Directory of Administrative Services](#).
- A fee of no more than ten cents (\$.10) per page is charged for making copies of personal records. If the request is for 10 pages or less, no fee will be charged.
- Any individual upon request and proper identification is permitted to inspect all the personal information about herself/himself in any record containing personal information. \*(See Air Resources Board, Rules and Regulations for Access and Disclosure", [Attachment 3](#)). **\*There are some specific exceptions to this rule.**
- Individuals are permitted to make a written request amending a record pertaining to herself/himself. This request must be reviewed and the amendment honored, or a notification of refusal to amend the information, sent to the individual, within 30 days from receipt of the request (see Air Resources Board Information Practices Act Rules and Regulations for Access and Disclosure, [Attachment 3](#)).
- Individuals are permitted to disagree with the refusal of the agency to amend a record, and to request a review by the head of the agency or designee ([Attachment 3](#)).

**Important Note:** All subpoenas, court orders and compulsory legal processes for information requests under the IPA should be immediately and directly forwarded to the ARB Office of Legal Affairs (916) 322-2884.

This ASL serves as a general Information Practices Act overview. There are many other requirements and restrictions imposed by the IPA. If you receive a request for personal information and you are unsure that the disclosure falls within these general guidelines, please contact the ARB Information Practices Act Coordinator, Management Services Branch, as listed on the [Directory of Administrative Services](#) for assistance.

## ATTACHMENTS

1. [Annual Privacy Notification to Employees](#)
2. [Rules of Conduct for ARB Employees](#)
3. [Rules and Regulations for Access and Disclosure](#)